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10/501,494	03/18/2005	Enrico Maim	15675P538	8268

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EXAMINER

LE, MICHAEL

ART UNIT	PAPER NUMBER
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2163

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary	Application No. 10/501,494	Applicant(s) MAIM, ENRICO	
	Examiner Michael Le	Art Unit 2163	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-52 is/are pending in the application.
- 4a) Of the above claim(s) 1-27 and 37-52 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 28-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on December 12, 2007 has been entered.

Summary and Status of Claims

1. This Office Action is in response to Applicant's reply filed December 12, 2007.
2. Claims 1-52 are pending.
3. Claims 1-27 and 37-52 are withdrawn from consideration for being directed to a non-elected invention.
4. Claims 28-36 have been considered below.
5. Claims 28-33 and 36 are rejected under 35 U.S.C. 102(e) as being anticipated by Emens et al. (US Patent 6,832,218) of record.
6. Claims 34 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Emens et al. (US Patent 6,832,218) of record, in view of Kolluri et al. (US Patent Pub 2003/0101286) of record.
7. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 102

8. Claims 28-33 and 36 are rejected under 35 U.S.C. 102(e) as being anticipated by **Emens et al. (US Patent 6,832,218) of record, hereinafter “Emens”**.

9. In regards to **claim 28**, Emens discloses a method of managing information resources in a computer system, the method comprising the steps of:

a. receiving user information from a user input device (Emens at col. 4, lines 6-8), said user information is representative of a declaration that a second resource accessible by the computer system should be associated with a first resource accessible by the computer system (Emens at col. 4, lines 11-7), and storing in association with said second resource an identifier of said first resource (Emens at col. 4, lines 17-21)¹;

b. identifying other resources accessible by the computer system that are relevant with respect to said second resource by a relevance scoring process (Emens at col. 4, lines 12-4, 52-7)²; and

c. determining whether the second resource with respect to which other resources have been found relevant in step b) has a first identifier associated with the second resource when one of said other resources is to be accessed by the computer system for display, and displaying other signaling information than the display of said other resource when the second resource with respect to which other relevant resources have been found relevant in step b) has the first identifier associated with the second resource when one of

¹ The first selection of a URL by the user is interpreted as the first resource. The next URL selected by the user is interpreted as the second resource. The selection is a “declaration that...[it]...should be associated” because the links are determined by the user as having the desired information searched for. The association is then stored for the second resource in association with the first resource, which are both stored with the original query.

² The counts are interpreted as the relevancy score. The more counts, the more relevant.

said other resources is to be accessed by the computer system for display. Emens at col. 4, lines 22-34³.

10. In regards to **claim 29**, Emens discloses the method as claimed in claim 28 wherein step b) further includes retaining other resources having a relevance score higher than a threshold.

Emens at col. 4, lines 52-4, 57-9.

11. In regards to **claim 30**, Emens discloses the method as claimed in claim 28, wherein step a) is implemented for a plurality of second resources belonging to a group (Emens at col. 4, lines 12-17), and step b) further comprises identifying other relevant resources with respect to the set of second resources of the group. Emens at col. 5, lines 3-9.

12. In regards to **claim 31**, Emens discloses the method as claimed in claim 28, wherein step b) is performed in response to an association made in step a). Emens at col. 5, lines 3-9⁴.

13. In regards to **claim 32**, Emens discloses the method of claim 28 wherein step b) is performed subsequent to the access envisaged in step c) to determine whether the other resource which it has accessed is another relevant resource with respect to the second resource. Emens at col. 3, lines 56-60; col. 4, lines 44-6⁵.

14. In regards to **claim 33**, Emens discloses the method as claimed in claim 28, wherein step b) is performed by supplying an identifier of the second resource to a server in which the

³ The second user is presented with a list of relevant links associated with the same or similar query as determined by another user. These links are displayed (signaled) to the user and each link is different (distinct) from each other (from the first site).

⁴ The identifying step is interpreted as being performed in response to the association step because the identifying and cross-referencing being performed utilizes the associations made by the user in the first step by the user clicking on the desired links.

⁵ The identification occurs each time a user makes a query, thus the displaying displays relevant links according to the previously associated resources.

relevance scoring process is executed to execute the relevant scoring process. Emens at col. 4, lines 51-59⁶.

15. In regards to **claim 36**, Emens discloses the method as claimed in claim 28, wherein step a) is performed by a pointing input device on graphical objects representative of the first and second resources. Emens at col. 3, lines 44-6⁷.

Claim Rejections - 35 USC § 103

16. **Claims 34 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Emens et al. (US Patent 6,832,218) of record, hereinafter “Emens”, in view of Kolluri et al. (US Patent Pub 2003/0101286) of record, hereinafter “Kolluri”.**

17. In regards to **claim 34**, Emens does not expressly disclose wherein the relevant scoring process identifies other resources relevant with respect to at least one intermediate resource with respect to which the second resource is predetermined as being relevant.

18. Kolluri discloses a weighting process that includes an intermediate link for determining strengths of each other links. Kolluri at para. 0008, lines 4-8.

19. Emens and Kolluri are analogous art because they are directed to the same field of endeavor of associations over the Internet.

20. At the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the method of Emens by making the relevant scoring process identify other resources

⁶ The link (identifier) of the second resource is given to the system to determine counts of it (relevance). The identifications are made by the number of counts (identifying relevant sites) above a threshold.

⁷ A web browser is a graphical user interface, which requires a pointing input device. The links displayed on the web browser are interpreted as “graphical objects” representative of the first and second resources.

relevant with respect to at least one intermediate resource with respect to which the second resource is predetermined as being relevant, as taught by Kolluri.

21. The motivation for doing so would have been because it allows for stronger relationship calculations and more reliable relevance scores. Kolluri at para. 0005.

22. In regards to **claim 35**, Emens and Kolluri disclose the method as claimed in claim 34, in step c), wherein a representation of a link to the first resource, said representations forming said signaling information, and further displaying representations of links to said intermediate resource and to resources which are relevant with respect to said intermediate resources. Emens at col. 4, lines 31-4⁸.

Response to Amendment

Rejection of Claims 28-36 under 35 U.S.C 112, Second Paragraph

23. Applicant's amendment to claims 28-36 is acknowledged. The rejection to claims 28-36 under 35 U.S.C. 112, second paragraph is withdrawn.

Rejection of Claims 28-36 under 35 U.S.C 101

24. Applicant's amendment to claims 28-36 is acknowledged. Consequently, the rejection to claims 28-36 under 35 U.S.C. 101 is withdrawn.

⁸ The search results displays links to sites (representations of links to at least certain among the first resources forming said signaling information) which are shown as the alternate list and the relevant list (resources relevant with respect to said intermediate resources).

Response to Arguments

Rejection of claims 28-33 and 36 under 35 U.S.C. 102(e)

25. Applicant's arguments in regards to the rejections to claims 28-33 and 36 under 35 U.S.C. 102(e), have been fully considered but they are not persuasive. Applicant alleges that Emens fails to disclose all the limitations of claim 28 (Remarks at 14-6.) The Examiner respectfully disagrees. In regards to step a), Emens discloses allowing a user to read through abstracts for resources and choosing hyperlinks for one or more resources for further review (i.e., a declaration that a second resource should be associated with a first resource) and storing the selected hyperlinks in a database (i.e., storing in association with said second resource an identifier of said first resource). Emens at col. 4, lines 6-21. Applicant argues that Emens cannot disclose the limitations of claim 28 because Emens does not start out with a manual association (Remarks at 14.) There is no requirement in the claim that the process initially begins with a manual association by the user. Arguably, Emens does begin with a manual association if the method is interpreted to begin after the initial query has been submitted. In regards to step b), Emens discloses determining the number of counts for a each hyperlink (i.e., relevancy scoring process) in the selected hyperlinks. Emens at col. 4, lines 12-4, 52-7. It is interpreted that the number of counts is the relevancy score, where a higher count corresponds to a higher score. In regards to step c), Emens discloses cross-referencing a second user's query with the first user's query if the second user's query is the same. By doing so, Emens discloses that the second user is displayed hyperlinks previously selected by the first user as being relevant. Emens at col. 4, lines 22-34. Thus, Emens discloses all the limitations of claim 28.

Applicant presents no further arguments for the remaining claims, therefore they remain rejected for the same reasons.

26. Consequently, the rejection to claims 28-33 under 35 U.S.C. 102(e) is maintained.

Rejection of claims 34 and 35 under 35 U.S.C. 103(a)

27. Applicant's arguments in regards to the rejections to claims 34 and 35 under 35 U.S.C. 103(a), have been fully considered but they are not persuasive. Applicant essentially argues that the references, alone or in combination, do not disclose the limitations of claim 28. Since Emens discloses all the limitations of claim 28 as addressed above, claims 34 and 35 remain rejected for the same reasons.

28. Consequently, the rejection to claims 34 and 35 under 35 U.S.C. 103(a) is maintained.

Conclusion

29. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Le whose telephone number is 571-272-7970. The examiner can normally be reached on Mon-Thurs : 9:30am-6pm, Fri: 8am-4:30pm.

30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on 571-272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


31. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael Le
Art Unit 2163
January 22, 2008


WILSON LEE
PRIMARY EXAMINER